



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN 11, TEXAS**

**WILL WILSON  
ATTORNEY GENERAL**

December 4, 1961

Honorable J. W. Edgar  
Commissioner of Education  
Texas Education Agency  
Austin, Texas

Opinion No. WW-1206

Re: Construction of Subdi-  
vision 6b of Section 1  
of Article 2922-14 as  
amended in reference  
to the salary of a  
part-time principal  
in two-year high school  
districts.

Dear Dr. Edgar:

We are in receipt of your request for opinion  
on the above captioned question.

Prior to amendment Subdivision 6b of Section  
1 of Article 2922-14 of Vernon's Civil Statutes provi-  
ded in part as follows:

"b. Principals in Districts  
Having a Two-Year Accredited High  
School But No Four-Year Accredited  
High School.

"In such a district having nine-  
teen (19) or fewer classroom teachers  
the designated classroom teacher who  
serves as part-time principal shall  
be paid an additional monthly  
salary allowance of Fifty Dollars  
(\$50) per month, and the annual salary  
of such part-time principal shall  
be the monthly base salary plus incre-  
ments multiplied by twelve (12)."

The 57th Legislature by Senate Bill No. 1  
amended Section 1 of Article 2922-14 "to read hereinafter  
as follows:" As so amended Subdivision 6b of Section 1  
of Article 2922-14 now reads as follows:

"b. The classroom teacher who  
serves as part-time principal on a  
campus to which are assigned seven  
(7) or more classroom teacher units

shall receive an additional salary allowance equal to fifteen (15%) per cent of his salary. The annual salary of a part-time principal shall be the monthly base salary, plus increments multiplied by nine and one-half (9½)." (Emphasis added)

Your request informs us that the Nash Independent School District is operating a two-year high school district, and has more than seven (7) classroom teachers on its campus. The District's contention may be quoted from your letter in part as follows:

"... It /The Nash Independent School District/ points out that this Agency /The Texas Education Agency/ should not apply or construe the phrase 'multiplied by nine and one-half (9½)' appearing in Article 2922-14 as amended, as applying to allocations for part-time principals of accredited two-year high school situations for the reason that the prior law specifically provided for twelve month part-time principals and the amendatory law did not clearly repeal the special treatment, thus creating ambiguity in the law."

The Court in International & G. N. Ry. Co. v. Bland, 181 S.W.2d 504, 506 (Civ.App. 1915) states:

"It is a well-known rule of construction that when the Legislature amends an article of the Revised Statutes by referring to it by number, and, as in this instance, declaring that it: 'shall hereinafter read as follows:', the article as amended is intended by the Legislature to take the place in the Revised Statutes formerly occupied by the superseded article. In fact, the language quoted admits of no other construction. . . ."

It therefore follows that the salary of the part-time principal shall be the monthly base salary, plus increments multiplied by nine and one-half (9½), as provided in said amendment.

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S U M M A R Y

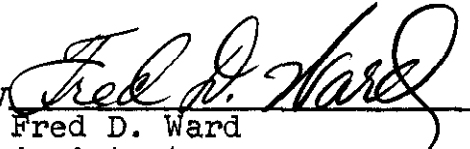
Under the terms of Senate Bill No. 1, Acts 57th Leg., 2d C.S., 1961, Subdivision 6b of Section 1 of Article 2922-14 has been amended, and the annual salary of a part-time principal shall be the monthly base salary, plus increments multiplied by nine and one-half ( $9\frac{1}{2}$ ), as provided in said amendment.

Yours very truly,

WILL WILSON  
Attorney General of Texas

FDW:lgh

By

  
Fred D. Ward  
Assistant

APPROVED:

OPINION COMMITTEE  
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REVIEWED FOR THE ATTORNEY GENERAL  
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